

IN THE CIRCUIT COURT OF ADAMS COUNTY, MISSISSIPPI

CYNTHIA CAIN

PLAINTIFF

VS.

CIVIL ACTION NO. 21-KV-0032-S

**WAL-MART STORES EAST, LP
and JOHN DOES 1-5**

DEFENDANTS

**PLAINTIFF'S RESPONSES TO WAL-MART'S FIRST SET OF REQUESTS FOR
ADMISSION**

COMES NOW Defendant, Wal-Mart Stores East, LP ("Walmart"), by and through counsel of record, and propounds this Requests for Admission to Plaintiff, Cynthia Cain, pursuant to Rule 36 of the Mississippi Rules of Civil Procedure.

1. Admit that the value of your claims for damages do not exceed the amount of \$75,000.00.

Response No. 1: Denied.

2. Admit that you would not accept any sum greater than \$75,000.00 for any damages even if awarded by a jury.

Response No. 2: Denied.

3. Admit that you will never seek to amend the Complaint to seek an amount above \$75,000.00.

Response No. 3: Denied.

4. Admit that you will never seek a verdict from any jury hearing this action greater than \$75,000.00.

Response No. 4: Denied.

5. Admit that you will not seek a verdict in excess of \$75,000.00 exclusive of interest

EXHIBIT B

and cost at the trial of this matter.

Response No. 5: Denied.

6. Admit that Plaintiff is not a recipient of Medicare benefits.

Response No. 6: Admitted.

7. Admit that Plaintiff is not a recipient of Medicaid benefits.

Response No. 7: Admitted.

8. Admit that Plaintiff has not incurred any medical expenses arising from the subject accident which were paid by Medicare.

Response No. 8: Admitted.

9. Admit that Plaintiff is not on Social Security Disability.

Response No. 9: Admitted.

10. Admit that Plaintiff has no present intent to apply for Medicare.

Response No. 10: Admitted.

11. Admit that Walmart was not negligent as alleged in the Complaint in this matter.

Response No. 11: Denied.

12. Admit that Walmart is not liable for any injury allegedly sustained by Plaintiff.

Response No. 12: Denied.

13. Admit that the negligence of Plaintiff was the sole proximate cause of any injury to Plaintiff.

Response No. 13: Denied.

Respectfully submitted, this, the 28th day of July, 2021.

CYNTHIA CAIN

By: /s/ Charles C. Cole
CHARLES C. COLE, MSB # 105806
TONEY A. BALDWIN, MSB # 102161

OF COUNSEL:

Toney Baldwin & Associates, PLLC
4680 McWillie Drive
Jackson, Mississippi 39206
T: 601-960-4355
F: 601-981-7163
E: ccole@tbapllc.com | baldwinlawfirm@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day sent via email a true and correct copy of the foregoing document to the following:

Thomas M. Louis – tlouis@wellsmarble.com
J. Caroline Johnson – cjohnson@wellsmarble.com

Wells Marble & Hurst
Post Office Box 131
Jackson, Mississippi 39205-0131
T: 601-605-6900
F: 601-605-6901

This, the 28th day of July, 2021.

/s/ Charles C. Cole
CHARLES C. COLE